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General Assembly
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Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-seventh year

Identical letters dated 7 June 2012 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

I am compelled to write today to convey the Palestinian leadership's serious concerns and outright condemnation of Israel's continuing illegal settlement policies and activities throughout the Occupied Palestinian Territory, including East Jerusalem. In flagrant defiance of international law and the demands of the international community to cease this illegitimate, destructive campaign, Israel, the occupying Power, continues all manner of settlement activities on our land and continues to provoke and incite with repeated declarations regarding the mal-intent to further colonize the Palestinian land. Rather than acting in accordance with international law and United Nations resolutions to bring an end to its 45-year military occupation of the Palestinian land, it is clear that Israel has chosen instead to entrench this occupation to the detriment of the Palestinian people, the Israeli people and the prospects for peace between them and in the region as a whole.

The Israeli Government has once again declared its intention to construct thousands more illegal settlement units, most deep inside the Occupied West Bank, and in areas in and around Occupied East Jerusalem. This latest blatant provocation involves the announcement just hours ago of the intention to construct 2,500 more settlement units in "Gilo", a massive settlement near the city of Bethlehem. The occupying Power has also proclaimed its plans to establish a 300-unit settlement in a declared military compound near the settlement of "Beit El", an illegal, deceitful manoeuvre that comes in follow-up to recent attempts to "legalize" the theft of Palestinian land and so-called settlement outposts and to obstruct or circumvent court-ordered demolitions, particularly regarding the "Ulpana" settlement. Moreover, it has announced plans to illegally establish another 117 units in the "Ariel" settlement, 92 units in the "Maale Adumim" settlement, 144 units in the "Adam" settlement and 114 units in the "Efrat" settlement. In addition, there are plans for the construction of another 84 units in the "Kiryat Arba" settlement, which is located in Al-Khalil, where hundreds of extremist Israeli settlers have been deliberately transferred in the midst of 200,000 Palestinians, who are subjected daily

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to terror, violence and intimidation by those extremist settlers, including their children, who are taught to hate and to constantly harass and inflict harm and humiliation on the Palestinian civilian population living there.

At this time, we call upon the international community to be firm in its condemnation and rejection of all of Israel's illegal settlement activities in the Occupied Palestinian Territory, including East Jerusalem, regardless of the pretexts or unjustifiable justifications given by the Government of Israel. All settlements and settlement-related infrastructure, including the Wall, are illegal no matter where they are constructed in the Occupied Palestinian Territory, including in East Jerusalem. Colonization of occupied territory via the transfer of citizens of the occupying Power is strictly prohibited by article 49 (6) of the Fourth Geneva Convention, is considered to be a grave breach under Additional Protocol 1 to the Geneva Conventions, and constitutes a war crime under article 8 (2) (a) (iv) and (b) (viii) of the Rome Statute. Moreover, the illegality of this practice and the demands for its complete cessation and reversal have been repeatedly reaffirmed by the United Nations General Assembly, Security Council, Human Rights Council and Economic and Social Council as well as by the International Court of Justice in its Advisory Opinion dated 9 July 2004. It is also imperative to recall Israel's obligation under the road map to freeze all settlement activities, including so-called "natural growth", and to dismantle all settlement outposts erected since March 2001.

In total defiance and disrespect of the rule of law and the international community, Israel continues to breach all of its legal obligations and commitments in this regard without consequence. It is incumbent on the international community, including the Security Council, to act collectively and responsibly to bring a halt to this illegitimate situation. Practical measures must be considered to compel Israel, the occupying Power, to halt this illegal campaign or to be held accountable for its violations and obstruction of the efforts to attain peace and security. It is unquestionable that Israel's illegal settlement activities are destroying the viability and physical attainability of the two-State solution on the basis of the pre-1967 borders and constitute the major obstacle to the revival of negotiations for the achievement of a just, lasting and comprehensive peace.

Indeed, Israel's illegal actions continue to undermine any and all efforts to resume the peace process, including via direct negotiations between the Palestinian and Israeli sides, on the basis of the well-known parameters and within the time frame specified by the Quartet in its 23 September 2011 statement, a deadline that is quickly approaching with the rapid passage of months marked only by a lack of progress due to Israel's intransigence and the further deterioration and destabilization of the situation on the ground. Israel must be compelled to abandon its expansionism, colonization and aggression against the Palestinian people and their land and instead pursue peace and take the hand of peace outstretched to it by the Palestinian leadership.

Here, we reaffirm Palestine's commitment to a peaceful, just solution by echoing the words of President Mahmoud Abbas yesterday at the International Economic Forum held in Istanbul, Turkey, where he stated: "Our region needs bridges of cooperation, peace and dialogue rather than walls and settlement expansion", and further cautioned that time is running out for this historic peaceful compromise. We thus stress the urgency of serious, collective action to advance the achievement of the two-State solution based on the pre-1967 borders. On this forty-

fifth anniversary of the belligerent, military occupation, we call for the redoubling of efforts to bring an end to the Israeli occupation of the Palestinian and other Arab lands, which requires an end and reversal of the illegal settlement campaign, and to realize the long overdue independence of the State of Palestine, with East Jerusalem as its capital, living side by side with Israel and all its neighbours in peace and security, and the just solution of all core final status issues.

Before concluding, I must draw your attention once again to the ongoing Palestinian prisoner crisis and particularly the grave situation of hunger-striking prisoners, including Mahmoud Al-Sarsak and Akram Al-Rekhmawi, to whom I referred in my letter of 4 June 2012. Al-Sarsak, now in his eightieth day of hunger strike and in rapidly deteriorating health, has been visited by independent doctors affiliated with Physicians for Human Rights-Israel, who have determined that he is at risk of immediate death and must be hospitalized. We renew our appeal to the international community to act on their moral and legal responsibilities to save his life and the lives of others being endangered by the occupying Power's repressive and brutal policies. It must be demanded that Israel respect all of its legal obligations, including under humanitarian and human rights law, vis-à-vis the Palestinian civilians, including children, that it continues to hold captive and that all prisoners and detainees being illegally held be released. Moreover, Israel must be demanded to respect the provisions of the agreement of 14 May 2012 aimed at alleviating the suffering and deplorable conditions being endured by Palestinian prisoners and detainees. This must include upholding the commitment not to renew administrative detentions without charge and to allow for visits by Palestinian families from the Gaza Strip.

The present letter is in follow-up to our previous 428 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 9 May 2012 (A/ES-10/556-S/2012/396) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations